

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Shirley Taylor-Prakelt, Director
Housing & Community Development, 797-1199

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A Resolution of the Town of Davie, adopting the Local Housing Assistance Plan (LHAP) for 2004/05 to 2006/07 under the State Housing Initiatives Partnership (SHIP) Program; authorizing the Mayor to execute the Interlocal Agreement with Broward County for the establishment and administration of a Joint Local Housing Assistance Program for 2004/05 to 2006/07; approving Davie's Housing Delivery Goals/SHIP Budget Strategies for FY 2004/05; and providing for an effective date.

REPORT IN BRIEF: In 1997, the Town of Davie became an "entitlement" recipient of State Housing Initiatives Partnership (SHIP) Grant funds. On April 1, 1998, the Town Council unanimously adopted the Town's Affordable Housing Incentive Strategy; and, the Broward County Local Housing Assistance Plan (LHAP) was amended to include the Town of Davie.

Although Davie falls under the County's LHAP, the Town determines how it's proportionate share of SHIP grant funds are allocated, and retains oversight of the Town's housing programs and initiatives. Every three (3) years, a new LHAP must be prepared and submitted to the State of Florida; and, a new Interlocal Agreement must be developed for implementation of the various SHIP programs. The local budgets are adopted annually.

PREVIOUS ACTIONS: 1996-1998 LHAP (including amendments) via Resolutions 97-208 and 99-88, and 1999-2001 LHAP (including amendments) via Resolutions 98-103, 99-181, and 99-257.

CONCURRENCES: Approval of this Resolution is required of all municipalities participating in the County-wide SHIP Program.

FISCAL IMPACT: Receipt of \$598,532 in SHIP Grant funds from the State of Florida.

Account Name/#: Funds are deposited in the Broward County LHAP Trust Fund. If transferred to Davie, it would be in 001-0406.515.05.24 (SHIP)

RECOMMENDATION Town Council adopt the attached Resolution so that the Town's housing programs can be continued without an interruption in services.

Attachment(s): Resolution, LHAP and Interlocal Agreement.

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, ADOPTING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR 2004/05 TO 2006/07 UNDER THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE ESTABLISHMENT AND ADMINISTRATION OF A JOINT LOCAL HOUSING ASSISTANCE PROGRAM FOR 2004/05 TO 2006/07; APPROVING DAVIE'S HOUSING DELIVERY GOALS/SHIP BUDGET STRATEGIES FOR FY 2004/05; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1997 the Town of Davie became an "entitlement" recipient under the State Housing Initiatives Partnership (SHIP) Program, which requires the adoption of a Local Housing Assistance Plan (LHAP); and

WHEREAS, for the purpose of implementing these SHIP Program Funds, the Broward County Local Housing Assistance Plan (LHAP) was amended to include the Town of Davie; and

WHEREAS, every three years, a new LHAP must be adopted, and the Interlocal Agreement with Broward County must be renewed; and,

WHEREAS, the new LHAP for FY 2004/05 to 2006/07 which incorporates the Town's FY 2004/05 SHIP Budget Strategies, and the new Interlocal Agreement for 2004/05 to 2006/07 needs to be approved; and,

WHEREAS, the Town's Housing and Community Development Department recommends that Davie continue it's positive contractual relationship with the Broward County Office of Housing Finance; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1: The Local Housing Assistance Plan (LHAP) for 2004/05 to 2006/07 incorporates the Town's Maximum and Average Costs and FY 2004/05 Budget Strategies, herewith included as Exhibit "A", is hereby adopted.

SECTION 2: The Interlocal Agreement with Broward County for the establishment and administration of a Joint Local Housing Assistance Program for 2004/05 to 2006/07, herewith included as Exhibit "B", is hereby adopted.

SECTION 3: Findings as to Administrative Costs. The Town of Davie hereby finds that the costs of administering the Program shall exceed five percent (5%) of Program funds;

and, pursuant to the Act, the Town hereby authorizes expenditures of no more than ten percent (10%) of Program funds for implementation of the Program.

SECTION 4. Establishment of Average and Maximum Costs. Pursuant to the SHIP Act, the Town hereby establishes the following “maximum awards” and “average costs” under the 2004/05 to 2006/07 LHAP:

<u>SHIP Program Strategy</u>	<u>Average</u>	<u>Maximum</u>
Purchase Assistance	\$15,000	\$25,000
New Const. - Single-Family	\$20,000	\$25,000
New Const. - Multi-Family	\$20,000	\$25,000
Home Repair	\$15,000	\$20,000
Barrier Free	\$25,000	\$30,000

SECTION 5. Budget Strategies and Budget. The following budgets and strategies are hereby adopted for the Town’s FY 2004/05 SHIP allocation.

<u>SHIP Program Strategy</u>	<u>FY 2004/05</u>
Home Repair Program (Rehab)	\$ 198,679
Barrier-Free Program	\$ 60,000
Purchase Assistance - Town-wide	\$ 200,000
New Const. Multi-Family	\$ 80,000
County Admin & H/O Counseling	\$ 29,927
Town Administration	\$ 29,927
Total	\$ 598,532 ¹

SECTION 5. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2004.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2004.

¹ It should be noted that this figure is subject to change based on Documentary Surtax Allocations; and, changes can be made to this budget administratively by the Town’s Housing & Community Development Director, based on established housing needs and priorities.

**BROWARD COUNTY
LOCAL HOUSING
PARTNERSHIP**

**STATE HOUSING INITIATIVES PARTNERSHIP
(SHIP) PROGRAM
2004/2005, 2005/2006 AND 2006/2007**

**Joint Local Housing Assistance Plan
for Broward County, the City of Coral Springs,
and the Town of Davie**

I. PROGRAM DESCRIPTION Chapter 67-37.005 F.A.C. and Section 420.9072, F.S.

A. Name of the participating local government and Interlocal :

Section 420.9072(5),F.S. Broward County - Interlocal : Yes X No

Name of participating local governments in the Interlocal Agreement:
The City of Coral Springs and the Town of Davie

A copy of the Interlocal Agreement is attached.

B. Purpose of the program: Section 420.9072, F.S. and Chapter 67-37.005(3), F.A.C.

Creation of the Plan is for the purpose of meeting the housing needs of very low, low and moderate income households, to expand the production of and preserve affordable housing, and to further the housing element of the local government's comprehensive plan specific to affordable housing.

C. Fiscal years covered by the Plan: *Chapter 67-37.002,F.A.C.*

 X 2004/2005

 X 2005/2006

 X 2006/2007

D. Governance: *Chapter 67-37.005(3)and(5)(i)F.A.C. and Section 420.9071(14)F.S.*

The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37.007, Florida Administrative Code.

The SHIP Program furthers the housing element of the local government Comprehensive Plan.

E. Local Housing Partnership *Section 420.9072(1)(a), F.S.* The SHIP Program encourages building

active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.

F. Leveraging: *Chapter 67-37.007(1)(b)(c), F.A.C. and Section 420.9075(1)(a) and (1)(b3, and (1)(c), F.S.*

The Plan is intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

G. Public Input: *Chapter 67-37.005(3), F.A.C.*

Public input was solicited through face to face meetings with housing providers, social service providers and local lenders and neighborhood associations during the Broward County Affordable Housing Task Force monthly meetings. Public input was solicited through the local newspaper via the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability. Three (3) Public Hearings were held on January 27, 2004, February 3, 2004 and February 10, 2004.

H. Advertising and Outreach *Chapter 67-37.005(6)(a), F.A.C.*

Broward County may advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

I. Discrimination: *Section 420.9075(3)(c), F.S.*

In accordance with the provisions of § 760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap, in the award application process for eligible housing.

J. Support Services and Housing Counseling Training: *Chapter 67-37.005(5)(g), F.A.C.*

Support services are available from various sources. Available support services may include but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling and Transportation.

Broward County provides Homeownership Counseling (Pre and Post) and Credit Counseling. All eligible persons receiving assistance under the program, except where noted, will be required to complete a housing counseling workshop provided by the Office of Housing Finance's Community Homebuyer's Workshop, the Office of Housing Finance's Tips for Homeowners Post-Closing Workshop for Homeowners, or the Broward County Housing Authority's Comprehensive Housing Counseling Program which addresses personal budgeting, home inspection and maintenance, preparation for home ownership and other pertinent topics.

K. Purchase Price Limits: *Section 420.9075(4)(c), F.S. and Chapter 67-37.007(6) F.A.C.*

Purchase Price Limits: The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, can be lower but may not exceed 90% of the median area purchase price established by the U.S. Department of the Treasury Revenue Proclamation or as described above.

The methodology used by Broward County is:

☒ Bond Study Numbers provided by Florida Housing Finance Corporation 2003/2004, Adopted April 27, 2004

☐ Independent Study (copy attached)

☐ U.S. Treasury Department

The purchase price limit for:

New Homes: \$229,413

Existing Homes: \$152,180

The methodology used by the City of Coral Springs is:

☐ Bond Study Numbers provided by Florida Housing Finance Corporation

☒ Independent Study (copy attached) expires June 30, 2005

☐ U.S. Treasury Department

The purchase price limit for:

New Homes: \$159,009

Existing Homes: \$159,009

The methodology used by the Town of Davie is:

☒ Bond Study Numbers provided by Florida Housing Finance Corporation

☐ Independent Study (copy attached)

☐ U.S. Treasury Department

The purchase price limit for:

New Homes: \$229,413

Existing Homes: \$152,180

Maximum Per Unit Awards: The maximum per unit allocation for each SHIP Strategy will be established by Resolution. The amount of assistance will be guided by the extent of rehabilitation necessary to comply with the Broward County Minimum Housing Code, construction standards as it applies to the Home Repair and Barrier Free strategies, or by the ability of the applicant to repay loans as it applies to the Purchase Assistance Strategies.

L. Income Limits, Rent Limits and Affordability:

Chapter 67-37.005(5)(e), F.A.C. and Section 420.9071(2), F.S.

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by the Florida Housing Finance Corporation. Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 (19), (20) and (28), F.S. However, it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark, and in the case of rental housing, does not exceed those rental limits adjusted for bedroom size.

The SHIP Program considers housing affordable when the monthly rents or monthly mortgage payments, including taxes, and insurance do not exceed 30 percent of an amount representing the percentage of the median anticipated annual income limits adjusted for family size for the household. These limits are provided by the Florida Housing Finance Corporation and will be adjusted upon receipt of the new limits without further approval by the County, State, or local municipality.

M. Wages to Work: *Chapter 67-37.005(6)(b)(7)F.A.C.*

Should an eligible sponsor be used, the city/county has developed a qualification system and selection criteria for applications for awards to eligible sponsors, which includes a description that demonstrates how eligible sponsors that employ personnel from the WAGES and Workforce Development Initiatives programs will be given preference in the selection process.

N. Monitoring and First Right of Refusal: *Section 420.9075(3)(e)and (4) (f), F.S.*

In the case of rental housing, the staff of Broward County shall annually monitor and determine tenant eligibility for a period of 15 years or the term of the assistance. However, any loan or grant in the original amount of \$3,000 or less, shall not be subject to annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored for at least annually for 15 years or the term of assistance, which ever is longer unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

O. Administrative Budget and Expenditures: *Chapter 67-37.005(6)(f)3, F.A.C.*

A detailed listing including line-item budget of proposed Administrative Expenditures is attached. This information is presented to the Broward County Board of County Commissioners on an annual basis for each State fiscal year submitted. The Broward County Board of County Commissioners, the Town of Davie and the City of Coral Springs approves the use of the moneys deposited in the Local Housing Assistance Trust Fund which shall be used to implement and administer the Local Housing Assistance Plan. Broward County, the City of Coral Springs and the Town of Davie have determined that five percent of the local housing distribution is insufficient to pay the necessary costs of administering the program and has allocated no more than ten percent of the SHIP funds to be applied towards administrative expenses.

P. Residency Requirements: All properties receiving assistance must be located within the unincorporated areas of Broward County and within the incorporated areas of each municipality, for their programs.

Q. Qualification and Selection of Applicants: The Partnership has developed a qualification system for applications for awards, has adopted criteria for the selection of eligible persons and sponsors, and has established a maximum award schedule for each activity consistent with the intent of the LHAP. Specific requirements are contained within each program description.

- R. Homeownership Set-Aside Requirement:** A minimum of 65% of the funds made available under the program will be reserved for providing owner-occupied housing including construction, rehabilitation, purchase assistance, and lease-purchase financing.
- S. Construction Set-Aside Requirement:** A minimum of 75% of program funds will be provided for construction, rehabilitation, or emergency repair of affordable housing.
- T. Eligible Applicant or Property Owner:** An eligible applicant means one or more natural persons or a family determined by the county or eligible municipality to be of very-low income, low income, or moderate income according to the income limits adjusted to family size published annually by the United States Department of Housing and Urban Development based upon the annual gross income of the household. For activities requiring proof of ownership to qualify, the following types of verification may be accepted:
- a). Warranty Deed
 - b). Quit-Claim Deed
 - c). Long Term Lease (99 years)
 - d). Homestead Exemption
 - e). Tax Records
 - f). Life Estate.
- U. Eligible Housing Types:** Eligible housing is any real and personal property, excluding mobile homes, located within the County or eligible municipality which is designated and intended for the primary purpose of providing decent, safe, and sanitary residential units which are designed to meet Chapter 553, F.S. including:
- a). Detached single-family housing
 - b). Condominium unit
 - c). Townhouse
 - d). Villa
 - e). Multi-Family Rental Units
 - f). Manufactured building bearing an approved device or seal issued by the State of Florida, Department of Community Affairs.
- V. Controlling Clause in Issues of Conflict:** Projects receiving assistance from the SHIP program and from other State or federal programs which may have conflicting verification certification and monitoring requirements, shall comply with the requirements of the most restrictive program.
- W. Plan Amendments:** The LHAP will be amended if at any time it is determined that a strategy will not be used or a new strategy is required. If at any time during the approved plan period the Partnership is unable to comply with any provision of this plan, the Florida Housing Finance Corporation will be notified.
- X. Local Housing Assistance Trust Fund:** All funds received from the State pursuant to the SHIP act and any funds received or budgeted to provide funding for the program, shall be deposited into the Affordable Housing Assistance Trust Fund.
- Y. Recycled Funds:** All funds generated from loan repayments, reimbursements, other repayments and interest earned on distributed funds will be expended in a manner provided by §420.907 et. al. F.S. and F.A.C Rule 67-37. The Town of Davie and City of Coral Springs recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account, for use in their municipal SHIP Programs.
- Z. Encumbrance and Expenditure Time Frames:** All SHIP funds for each State Fiscal Year will be obligated by June 30th of the following fiscal year. Program funds must be expended within 24 months of the close of the applicable State fiscal year.

Program Year	Encumbrance Deadline	Expenditure Deadline
2004-2005	June 30, 2005	June 30, 2007
2005-2006	June 30, 2006	June 30, 2008
2006-2007	June 30, 2007	June 30, 2009

II. LHAP HOUSING STRATEGIES: *Chapter 67-37.005(5), F.A.C.*

1. *Purchase Assistance Strategy*

Summary of Strategy: Designed to provide eligible persons (income certified as very low, low or moderate) a deferred payment loan to be applied towards the closing costs, first mortgage reduction, points, and/or down payment for the purchase of eligible owner-occupied housing.

Eligible persons purchasing in non-entitlement cities, unincorporated Broward County, the City of Coral Springs and the Town of Davie, may be eligible to receive up to a maximum of \$20,000 to be applied towards the closing costs, down payment, or principal reduction. Eligible persons purchasing in entitlement cities may be eligible to receive up to a maximum of \$10,000 to be applied towards the closing costs, down payment or principal reduction. Eligible applicants must purchase in Broward County, Florida.

1.1. **Fiscal Years Covered:** 2004-2005, 2005-2006, 2006-2007

1.2. **Income Categories to be served:** Very Low, Low and Moderate

1.3. **Maximum award is noted on the Housing Delivery Goals Charts:**

1.4. **Repayment/Recapture Terms: The following terms and conditions apply to eligible persons receiving purchase assistance funds:**

1.4.1. Eligible persons shall sign a five-year deferred payment mortgage and note with a 20% yearly loan write-down after the end of each full year from the date of the mortgage and note at 0% interest rate. The mortgage and note shall provide for pro-rated repayment which shall be due upon the sale, assignment or any transfer of title of the property within the recaptured period.

1.4.2. Maximum deferred payment loan of \$10,000 for purchases within the Town of Davie, or the City of Coral Springs with an additional maximum of up to \$10,000 from the County as a deferred payment loan on the same terms and conditions as (1) above.

1.4.3. A maximum deferred payment loan of up to \$20,000 for purchase within non-entitlement, the Town of Davie, and the City of Coral Springs, this loan to be applied towards closing costs and down payments.

1.4.4. A maximum deferred payment loan of up to \$10,000 for purchase within entitlement non-partnership cities, this loan to be applied towards closing costs and down payments.

1.4.5. The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.

1.5. **Recipient Selection Criteria:**

1.5.1. Applicants will be selected on a first come, first qualified, first served basis within the income groups.

1.5.2. Applicants must not own any other residential property.

1.5.3. Applicants must receive a certificate of housing counseling upon completion of the education and counseling workshop. This certificate is required prior to loan closing.

1.5.4. All SHIP proceeds must be used to pay closing costs; down payment; principal reduction, and must not be used for debt consolidation, or cash-out to applicant.

1.5.5. The maximum loan-to-value for combined first and second mortgages shall be 105 percent for very low-income, low-income, or moderate-income applicants.

1.5.6. Applicants must make mortgage application with the Housing Finance Authority's Lenders' Program. Non-participating lenders must meet or exceed the Lenders' Program terms.

2. *Development Assistance Strategy:*

Summary of Strategy: Designed to provide direct financial assistance to eligible developers and to eligible prospective home buyers for the construction of a new home and to reduce the sales price to the purchaser. This is achieved through the builder/developer subtracting the reduction or waiver therein of any impact fees or any other administrative fees off the top of the sales price of the home.

Eligible costs for the prospective home buyer include down payment and/or closing costs assistance. Eligible costs for the developer include:

- 2.1. Cost of land with or without structure(s), and related demolition costs.
- 2.2. Professional fees such as engineering, architectural, surveying and consulting costs and interest buy downs.
- 2.3. Infrastructure expenses typically paid by the developer including, streets, roadways, parking areas; sidewalks, pathways, walkways; storm-drainage systems; sanitary systems; water supply systems, water mains, connections, hydrants, meters; utilities and utility easements for telephone, cable, electric lines, and rights-of-way; street lighting. Infrastructure expenses must be on-site and must be directly related to the housing being assisted with SHIP funds.
- 2.4. Payment of administrative fees including, Preliminary and Final Plat Review, Engineering Service Charges, Recording Fees, Site Plan Review Fees, Minor Review Fees, Surface Water License, Permit to Construct in Right-of-Way, Sewer and Water Installation Fee, Sewer and Water Plan Review, Waste Water License, Building Permits, Road Construction Agreement Review, Traffic Study/Action Plan Review, Environmental Impact Review, Surface Water Permit, Land Use Amendment Review, Septic Tank Permit, Well Permit.
- 2.5. Payment of road, park, police, fire, and water and sewer impact fees.
- 2.6. Hard costs typically or customarily treated as construction costs by institutional lenders, or any other reasonable hard or soft costs associated or involved with the development and or construction process.
The combined total unit cost allowance must not exceed \$50,000 for both eligible home buyer and eligible developer.
- 2.7. **Fiscal Years Covered:** 2004-2005, 2005-2006, 2006-2007
- 2.8. **Income Categories to be served:** Very Low, Low and Moderate
- 2.9. **Maximum award is noted on the Housing Delivery Goals Charts:**
- 2.10. **Repayment/Recapture Terms: The following terms and conditions apply to eligible persons receiving development assistance funds:**
 - 2.10.1 Eligible applicant shall sign a ten-year deferred payment mortgage and note with a 10% yearly loan write-down after the end of each full year from the date of the mortgage and note at 0% interest rate. The mortgage and note shall provide for pro-rated repayment which shall be due upon the sale, assignment or any transfer of title of the property within the ten year term loan.
 - 2.10.2 SHIP assisted property may be sold during the affordability period ten years (10) with full repayment of the original SHIP assistance required at all times during the affordability period if the subsequent purchaser does not meet the affordable income categories described above.
The first and subsequent purchasers of the property during the affordability term ten years (10) must be very low income, low-income, or moderate income and occupy the property as a principal residence.
 - 2.10.3. Maximum deferred payment loan of \$50,000 for purchase within Broward County.
 - 2.10.4. The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.
- 2.11 **Recipient Selection Criteria:**
 - 2.11.1. Eligible applicant will be selected on a first come, first qualified, first served basis after being determined as SHIP income certified.
 - 2.11.2. Eligible applicant must not own any other residential property.

- 2.11.3. Applicant must receive a certificate of housing counseling prior to loan closing.
- 2.11.4. All end loans must be processed through the Housing Finance Authority's Lender's Program, unless the applicant can obtain a commitment letter forty-five (45) days from an outside Lender prior to the issuance of the certificate of occupancy.
- 2.11.5. Property must be owner-occupied.

2.12 Developer Selection Criteria:

An eligible developer will be selected through a competitive bid process. Eligible developer must verify that the approved purchaser has been certified by Broward County as very low-income, low-income, or moderate-income.

3. Home Repair Strategy:

Summary of the Strategy: Designed to provide home repair to eligible applicants for improving or maintaining owner-occupied housing to correct code violations, prevent further deterioration, to stop the loss of energy and infiltration of outside elements. Eligible home repair includes:

Emergency repairs: repairs of an urgent nature such as minor damage caused by fires, broken water pipes, electrical failures, gas leaks, heating and water heating system failures, sewer/sanitation back-ups, and other repairs which are a threat to life, health, and safety of the resident as a result of unintentional and uncontrollable causes and the residence has been declared as being in violation of applicable building or housing codes.

Roof repair and/or replacement: complete repair or replacement of deteriorated roofing systems to eliminate substandard or unsafe roofing conditions, and to prevent further roofing deterioration.

Home repairs and weatherization: window replacement, door replacement, weatherization, re-wiring, re-plumbing, kitchen and bathroom remodeling to replace deteriorated conditions, interior and exterior painting, exterior wall and stucco repair, a/c and heating systems, insulation, floor covering to replace materials containing holes, rips or tears, or in otherwise poor condition, termite treatment and repair.

Hurricane/Storm Shutters: The installation of hurricane shutters and storm shutters is an eligible item when included in the overall repair project to be performed by the Contractor and only if required by code or ordinance. The hurricane shutters must not exceed the cost of \$4,000.

Nonconforming Structures: In the Town of Davie, any illegal nonconforming structures (those built without a permit) that are found during the work write-up and/or assessment, must be addressed before other home repairs are considered i.e. these structures must be brought into compliance with the current Code.

3.1 **Fiscal Years Covered:** 2004-2005, 2005-2006, 2006-2007

3.2 **Income Categories to be served:** Very Low, Low and Moderate

3.3 **Maximum award is noted on the Housing Delivery Goals Charts:**

3.4 **Repayment/Recapture Terms: The following terms and conditions apply to eligible persons receiving home repair assistance funds:**

3.4.1. Eligible persons shall sign a five-year deferred payment mortgage and note with a 20% yearly loan write-down after the end of each full year from the date of the mortgage and note at 0% interest rate. The mortgage and note shall provide for pro-rated repayment which shall be due upon the sale, assignment or any transfer of title of the property within the five year term loan.

3.4.2. Maximum deferred payment loan of \$20,000 for home repairs within Broward County, \$17,000 for home repairs within the Town of Davie, and \$16,978 for home repairs within the City of Coral Springs.

3.4.3. The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.

3.5 Recipient Selection Criteria:

3.5.1. Certified eligible homeowners will be selected on a first come, first qualified, first served basis within the income groups, with the exception of those qualified homes deemed emergency by a Broward County inspector. The County may also choose to

target minor home repair assistance to the neighborhoods identified in the Broward County Neighborhood Improvement Plan or unincorporated Broward County. This exception does not include the Town of Davie or the City of Coral Springs qualified homes.

- 3.5.2. Eligible homeowners must reside in non-entitlement cities, unincorporated Broward County, the City of Coral Springs or the Town of Davie.
- 3.5.3. Property assessed value as stated on Broward County Property Appraiser's website cannot exceed \$152,180 with the exception of the City of Coral Springs where the property assessed value cannot exceed \$159,009.
Property must be owner-occupied.
- 3.5.4. Verification of ownership and payment of property taxes will be conducted to determine eligibility.
- 3.5.5. Applicants must receive a certificate of housing counseling upon completion of the education and counseling workshop. This certificate is required prior to repairs.
- 3.5.6. Applicants for repairs will not be eligible for any additional repairs for a period of five years from the completion of repairs.
- 3.6 **Provider Selection Criteria:**
A provider will be selected through the competitive bid process.

4. *New Construction Strategy:*

Summary of the Strategy: Designed to enhance and preserve existing neighborhoods by awarding funds to eligible developers to construct in-fill housing. New Construction may complement overall Neighborhood Improvement Projects that are in process in several Broward County communities. New housing construction will accompany upgraded water supply systems; improved drainage; new road pavement, swales, sodding, landscaping, and neighborhood signage. Maximum award may not exceed \$60,000 per unit.

4.1 Fiscal Years Covered: 2004-2005, 2005-2006, 2006-2007

4.2 Income Categories to be served: Very Low, Low and Moderate

4.3 Maximum award is noted on the Housing Delivery Goals Charts:

4.4 Repayment/Recapture Terms: The following terms and conditions apply to eligible persons receiving new construction assistance funds:

- 4.4.1. Eligible applicants shall sign a ten-year deferred payment mortgage and note with a 10% yearly loan write-down after the end of each full year from the date of the mortgage and note at 0% interest rate. The mortgage and note shall provide for pro-rated repayment which shall be due upon the sale, assignment or any transfer of title of the property within the ten year term loan.
- 4.4.2. SHIP assisted property may be sold during the affordability period ten years (10) with full repayment of the original SHIP assistance required at all times during the affordability period if the subsequent purchaser does not meet the affordable income categories described above. The first and subsequent purchasers of the property during the affordability term ten years (10) must be very low income, low-income, or moderate income and occupy the property as a principal residence.
- 4.4.3. The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.

4.5 Recipient Selection Criteria:

- 4.5.1. Applicant will be selected on a first come, first qualified, first served basis within the income groups after being determined as SHIP income certified.
- 4.5.2. Program assistance is project specific and may not be used in conjunction with funding from other SHIP programs.
- 4.5.3. Applicants must receive a certificate of housing counseling prior to resident loan closing.
- 4.6 **Developer Selection Criteria:**
An eligible developer will be selected through a competitive bid process.

Eligible developer must verify that the approved purchaser has been certified by Broward County as very low-income, low-income, or moderate-income.

5. *Foreclosure Prevention Strategy:*

Summary of the Strategy: Designed to preserve the affordable housing stock throughout Broward County. The program provides single-family home owners assistance in the form of a deferred payment loan to pay defaulted mortgages where the homeowner is in default at least thirty (30) days. Property must be owner occupied, and homeowner must meet SHIP qualification and guidelines.

Funds will be used to bring mortgages current, including maintenance payments in foreclosure, special assessments and various other condominium type fees, including legal fees, thereby avoiding foreclosure action. As part of the application selection process, the counseling staff will review the funding request, factors contributing to the foreclosure action (i.e. loss of employment, loss of income due to illness, divorce, predatory lending) and client's ability to demonstrate they can make future monthly payments. Participants must contribute at least 25% of their own funds towards the amount necessary to reinstate the account.

5.1 Fiscal Years Covered: 2004-2005, 2005-2006, 2006-2007

5.2 Income Categories to be served: Very Low, Low and Moderate

5.3 Maximum award is noted on the Housing Delivery Goals Charts:

5.4 Repayment/Recapture Terms: The following terms and conditions apply to eligible persons receiving for foreclosure prevention assistance funds:

5.4.1. Eligible person shall sign a five-year deferred payment mortgage and note with a 20% yearly loan write-down after the end of each full year from the date of the mortgage and note at 0% interest rate. The mortgage and note shall provide for pro-rated repayment which shall be due upon the sale, assignment or any transfer of title of the property within the five year term loan.

The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.

5.5 Recipient Selection Criteria:

5.5.1. Eligible applicants will be selected on a first come, first qualified, first served basis.

5.5.2. Property assessed value as stated on Broward County Property Appraiser's website cannot exceed \$152,180 with the exception of the City of Coral Springs where the property assessed value cannot exceed \$159,009.

Applicants will be certified as very low-income, low-income or moderate-income to be deemed eligible.

5.5.3. Eligible applicant must be the property owner of a single-family dwelling.

5.5.4. A current credit report will be required. Applicant will cover cost of credit report in money order form.

5.5.5. Participants can only apply one time.

5.5.6. Participant must not be in a repayment plan for the mortgage on the home at time of approval of the application. If participant has filed Bankruptcy Chapter 13, this must be dismissed prior to approval of application.

5.6 Provider Selection Criteria:

Provider may be selected or awarded funds through a competitive bid process.

6. *Water/Sewer Connections Strategy:*

Summary of the Strategy: Designed to assist eligible home owners with sewer connection in the 18 neighborhoods identified in the Broward County Neighborhood Improvement Project. The SHIP assistance to be applied towards the cost of connecting to a water supply and sewage discharge system being installed in those areas.

Geographic Availability:

Central County: Unincorporated Broward County neighborhoods of Franklin Park, Melrose Park, Broward Estates, St. George, Washington Park, Riverland Village, Boulevard Gardens, Rock Island, Broadview Park, West Ken Lark and Roosevelt Gardens.

North County: Unincorporated Broward County neighborhoods of Pompano Highlands, Cresthaven/Collier Manor, Park Ridge, North Andrews Estates and Pompano Estates.

South County: Unincorporated Broward County neighborhoods of Carver Ranches/Utopia, Miami Gardens, and Lake Forest.

- 6.1 **Fiscal Years Covered:** 2004-2005, 2005-2006, 2006-2007
- 6.2 **Income Categories to be served:** Very Low, Low and Moderate
- 6.3 **Maximum award is noted on the Housing Delivery Goals Charts:**
- 6.4 **Repayment/Recapture Terms: The following terms and conditions apply to eligible persons receiving water sewer assistance funds:**
 - 6.4.1. Eligible person shall sign a five-year deferred payment mortgage and note with a 20% yearly loan write-down after the end of each full year from the date of the mortgage and note at 0% interest rate. The mortgage and note shall provide for pro-rated repayment which shall be due upon the sale, assignment or any transfer of title of the property within the five year term loan.
 - 6.4.2. Maximum deferred payment loan of up to \$10,000
- 6.5 **Recipient Selection Criteria:**
 - 6.5.1 Eligible applicants must reside within the specific geographic areas as stated above and will be selected on a first come, first qualified, first served basis.
 - 6.5.2 Applicants will be certified as very low-income, low-income or moderate-income to be deemed eligible.
 - 6.5.3 Property assessed value as stated on Broward County Property Appraiser's website cannot exceed \$152,180 with the exception of the City of Coral Springs where the property assessed value cannot exceed \$159,009.

7. *Special Needs Barrier-Free Housing Strategy*

Summary of the Strategy: Designed to remove barriers, improve accessibility to the elderly (62 years or older) and disabled persons, and to provide for health and safety repairs as needed by older and disabled persons to maintain their independence. Health and safety repairs may include repairs unrelated to accessibility and barrier removal.

Eligible homeowners must reside in non-entitlement cities, unincorporated Broward County, the City of Coral Springs, or the Town of Davie.

Eligible uses for barrier removal and home modifications include: Modifications to widen doorways, install accessible doors and hardware, widen halls, kitchens, bathrooms and bedrooms to accommodate mobility aides (canes, walkers, wheelchairs and scooters); grab bars; entry ramps, railings, walkways and landings; non-slip floor surfaces throughout the home environment, may include carpeting; push-able or lever hardware; delayed opening and closing mechanisms on egress and garage doors; interior doors; improved lighting; accessible appliances which include but are not limited to front or touch-type controls; lever faucets; installation of accessible cabinets, shelves, drawers, sinks, toilets, kitchen, bathroom, utility and swimming pool appliances and fixtures. Installation and provision of assisted technology products to increase accessibility in the home environment. Examples are but are not limited to: roll in style or permanent shower chair, environmental control system and hand held shower, non-slip surfacing on accessible roll-in with or without curb shower; accessible touch-type light switches and thermostats; smoke alarms and fire detectors; and removal of other architectural barriers. Code violations, along with health and safety issues are not to exceed \$15,000 and may not be related to accessibility issues.

Health and safety and security related repairs include but shall not be limited to the following: roof repair and/or replacement; complete repair or replacement of deteriorated roofing systems to eliminate substandard or unsafe roofing conditions, and to prevent further rotting, window repair and/or replacement, weatherization, re-wiring, re-plumbing, termite treatment and repair, interior wall repairs and painting, a/c and heating systems, insulation, repair cracked driveways, repair cracked or hazardous sidewalks.

- 7.1 **Fiscal Years Covered:** 2004-2005, 2005-2006, 2006-2007
- 7.2 **Income Categories to be served:** Very Low, Low and Moderate
- 7.3 **Maximum award is noted on the Housing Delivery Goals Charts:**
- 7.4 **Repayment/Recapture Terms: The following terms and conditions apply to eligible persons receiving special needs/barrier free assistance funds:**
 - 7.4.1 Eligible persons shall sign a five-year deferred payment mortgage and note with a 20% yearly loan write-down after the end of each full year from the date of the mortgage and note at 0% interest rate. The mortgage and note shall provide for pro-rated repayment which shall be due upon the sale, assignment or any transfer of title of the property within the five year term loan.
 - 7.4.2 Maximum deferred payment loan of \$30,000 for modification to homes within the Town of Davie, and \$16,978 for home repairs within the City of Coral Springs.
 - 7.4.3 The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.
- 7.5 **Recipient Selection Criteria:**
 - 7.5.1. Applicants will be certified as very low-income, low-income or moderate-income to be deemed eligible.
 - 7.5.2. Eligible unit must be owner occupied.
 - 7.5.3. Eligible persons will be selected on a first come, first qualified, first served basis within the very low-income, low-income or moderate-income categories.
 - 7.5.4. Property assessed value as stated on Broward County Property Appraiser's website cannot exceed \$152,180 with the exception of the City of Coral Springs where the property assessed value cannot exceed \$159,009.
 - Resident must be elderly, medically or physically disabled.
 - 7.5.5. Certificate of housing counseling optional.
- 7.6 **Provider Selection Criteria:**
 - Provider may be selected from the Competitive Bid Process.

8. ***Rental Acquisition & Rehabilitation Strategy:***

Summary of the Strategy: Designed to provide financial assistance to owners of rental properties in the form of a fifteen year (15) deferred payment loan for the purpose of acquisition, rehabilitation or a combination of acquisition and rehabilitation. Rehabilitated units are to be occupied by eligible families upon completion or rehabilitation. Funds may be used to make essential improvements, and to replace major housing systems in danger of failure. Property purchased may be used to provide Homeless Transitional Housing.

- 8.1. **Fiscal Years Covered:** 2004-2005, 2005-2006, 2006-2007
- 8.2. **Income Categories to be served:** Very Low, Low and Moderate
- 8.3. **Maximum award is noted on the Housing Delivery Goals Charts:**
- 8.4. **Terms, Recapture and Default:**
 - 8.4.1. Awards will be made on a deferred payment basis for a fifteen (15) year affordability period.
 - 8.4.2. Loans will be secured by a mortgage lien against the property rehabilitated, and will be payable on a fifteen year (15) deferred payment basis, at a 0% interest rate, with a prorated 6.66% (1/15th) yearly loan write-down due upon sale of property within the fifteen (15) year loan term.

The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.
- 8.5. **Recipient Selection Criteria:**
 - 8.5.1. Applicants will be selected on a first come, first qualified, first serve basis within the very low-income, low-income or moderate-income categories.

8.5.2. Applicants will be certified as very low-income, low-income or moderate-income to be deemed eligible.

8.6. **Developer Selection Criteria:**

Developer may be selected from the Competitive Bid Process. Property owner may be an individual corporation, but must also hold a minimum of 10% equity in the property and show adequate financial and management capabilities. All owners of rental properties within the designated eligible areas may be eligible for assistance.

9. ***Rental/New Construction Strategy:***

Summary of the Strategy: Designed to expand affordable housing opportunities for renters for a thirty (30) year period by constructing new multi-family rental units to be occupied by income-eligible families. Rental/New Construction may accompany upgraded water and sewer supply systems; improved drainage; new road pavement, swales, sodding, landscaping and neighborhood signage. Assistance will be in the form of a thirty (30) year deferred payment loan. Units are to be occupied by income-eligible families upon completion.

Eligible costs include:

Professional fees such as engineering, architectural, surveying and consulting costs and interest buy downs.

Infrastructure expenses typically paid by the developer including, streets, roadways, parking areas; sidewalks, pathways, walkways; storm-drainage systems; sanitary systems; water supply systems, water mains, connections, hydrants, meters; utilities and utility easements for telephone, cable, electric lines, and rights-of-way; street lighting. Infrastructure expenses must be on-site and must be directly related to the housing being assisted with SHIP funds.

Payment of administrative fees including, Preliminary and Final Plat Review, Engineering Service Charges, Recording Fees, Site Plan Review Fees, Minor Review Fees, Surface Water License, Permit to Construct in Right-of-Way, Sewer and Water Installation Fee, Sewer and Water Plan Review, Waste Water License, Building Permits, Road Construction Agreement Review, Traffic Study/ Action Plan Review, Environmental Impact Review, Surface Water Permit, Land Use Amendment Review, Septic Tank Permit, Well Permit.

Payment of road, park, police, fire, and water and sewer impact fees.

Hard costs typically or customarily treated as construction costs by institutional lenders, or any other reasonable hard or soft costs associated or involved with the development and or construction process, including land costs.

9.1. **Fiscal Years Covered:** 2004-2005, 2005-2006, 2006-2007

9.2. **Income Categories to be served:** Very Low, Low and Moderate

9.3. **Maximum award is noted on the Housing Delivery Goals Charts:**

9.4. **Terms, Recapture and Default:**

9.4.1. Awards may be made as a thirty (30) year deferred-payment loan, at a 0% interest rate, with a prorated 3.33% (1/30th) yearly loan write-down due upon sale of property within the thirty (30) year loan term, subject to contractual terms and conditions, or

9.4.2. Awards may be made as a fifteen year (15) deferred payment loan, at a 0% interest rate, with a prorated 6.66% (1/15th) yearly loan write-down due upon sale of property within the fifteen (15) year loan term.

9.4.3. The Town of Davie, City of Coral Springs and Broward County's recaptured funds will be placed in Broward County's Local Housing Assistance Trust Account with respective partnership tracking codes for use within the municipality's jurisdiction.

9.5. **Recipient Selection Criteria:**

Eligible tenants must fall within the income categories (very-low, low and moderate).

9.5. **Developer Selection Criteria:**

Eligible developer may be selected from the Competitive Bid Process.

Preference will be given in the selection process for sponsors that employ personnel from the Wages and Workforce Development Initiatives Program.

III. **LHAP INCENTIVE STRATEGIES**

Broward County

Name of the Strategy: Expedited Permitting

Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

Establish Policy for Permit Review: Establish, subject to legal review, a policy for permit review agencies to place affordable housing developments, for both new construction and rehabilitation projects, first in the "queue" of projects to be reviewed. Some of the key points in the process where this incentive would save time include: plat review, reviews associated with plat recording, site plan review, off-site improvement plan review, building plan reviews, water and sewer construction plan permits, surface water license, wastewater license, building permit plans and construction inspections.

This strategy has been implemented and is functioning as intended.

Enhance existing County Land Development Code: A mechanism which withholds issuance of C.O(s), rather than requiring a bond guaranteeing performance, to ensure compliance with off-site and on-site improvement requirements established during the permitting process. Requirements subject to this incentive should include: (i) roads; (ii) sidewalks; and (iii) on-site water/sewer requirements, at a minimum.

Cities should similarly review their local bonding requirements to determine whether a similar incentive can also be implemented at the municipal level.

In addition, if the completion of an off-site improvement is the only outstanding requirement for release of the C.O., bonding for the remainder of the off-site improvement shall be offered as an alternative to delaying the C.O. release.

Further, investigate establishing a low cost option for complying with the requirement to show "evidence of financial resources necessary to complete a mitigation project" for projects that have wetland mitigation obligations.

This strategy has been implemented through Building and Permitting and is functioning as intended.

Definition of Affordable: Broward County Resolution 93-668, the Committee's appointing Resolution, defines "affordable" as defined in the SHIP Act. This definition states: Affordable means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed 30 percent of an amount representing the percentage of the median annual gross income for the households as indicated in Section 420.9071 (19), (20) and (28), F.S.

This strategy has been implemented in the Land Development Code, the Land Use Plan and the Housing Element of Volume 4 of the County's Comprehensive Plan. The structure is in place and it is functioning as intended.

Increased Density Levels: Amend the Broward County Land Use Plan to allow increased density levels for affordable housing development proposals through the creation of a new flexible density unit, under the County Land Use Plan, entitled "Affordable Housing Units", to be allocated and used within Broward municipalities for the purpose of providing density incentives for the construction of affordable housing projects.

Land Use Plan policies creating the "Affordable Housing Units" should consider the following criteria:

- a. Creation of Affordable Housing Units. Policies creating Affordable Housing Units ("AFUs") should:
 - *Create a minimum number of AFUs for each municipality, and unincorporated Broward County areas;
 - *Allow use of AFUs anywhere within municipal boundaries, without regard to existing flex-zone boundaries, but subject to adopted location criteria;

*After creation of the minimum number of AFUs, allocate a number of AFUs to each municipality based on an estimation/allocation methodology (to be developed) which considers without limitation: (i) a municipality's affordable housing need; and (ii) a municipality's developable land which can accommodate the AFUs.

*The number of AFUs created pursuant to these new policies shall be deducted from the municipality's available flex or reserve units, in order to ensure that creation of the AFUs does not add to the total number of permitted units within the given municipality.

*AFUs should not be permitted to be transferred from one municipal jurisdiction to another.

b. Use of a Sliding Scale For Density Bonuses:

Consideration should be given to the use of a sliding scale for the use of density bonuses, which scale would vary based on the applicability of land use related factors, including without limitation:

*Whether the proposed affordable housing development is located within a designated "in-fill" area, Community Development Target Area, or designated Community Redevelopment Area;

*Whether the proposed affordable housing development can incorporate transit related elements to support the proposed development; and

*The target population for the proposed affordable housing development (i.e. mix of "low", "very-low" and "moderate" housing units proposed), with a greater density bonus to be allowed for greater percentages of "low" and "very-low" units proposed.

The intent is to create a sliding scale of incentives, with greater density awarded to those projects, appropriately located, which serve the need of "low" and "very-low" income families, and which also serve to fulfill other land use-related policies of the Land Use Plan.

The sliding scale of bonus densities should begin from the existing permission to double density, to increases in density sufficient to permit multi-story, multi-family projects targeted to provide "low" and "very-low" income housing. Implementing regulations shall establish appropriate land-use compatibility criteria to guide application of bonus density.

c. Geographic Location: Consideration, and additional density bonuses, should also be given based on the geographic location of the proposed affordable housing development (e.g. whether the proposed development is located within a Community Redevelopment Area; whether the proposed development is located within or near employment centers).

d. Non-sale of Bonus Units. Units available for density bonus allocation to affordable housing projects shall not be "sold" to the applicant/developer by the applicable jurisdiction.

This strategy was adopted as part of the County's Land Use Plan and is functioning as intended.

e. Amend the following policies of the Broward County Land Use Plan: 01.07.01.,01.07.02,01.07.03, and 01.07.04, to insert the word "shall" in place of "should".

B. Name of the Strategy: *Ongoing Review Process*

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

Established policy and procedures:

1. Reservation of Capacity: Establish, as permitted by law, a procedure for the reservation of infrastructure capacity for affordable housing development, in the areas of roads, parks, school and utilities.

Within cities, investigation should include review of capacity reservation as to local park, local street, utility (as applicable), and other concurrency requirements pursuant to city comprehensive plans.

This strategy has been implemented in the Land Development Code and is functioning as intended.

2. Zero Lot Line: Continue to allow zero-lot line configurations as provided for in applicable zoning codes and Planned Unit Development (PUD) ordinances.

This strategy has been implemented and is functioning as intended.

3. Street Requirements: Continue, without modification, those minimum street requirements contained in the Land Development and Zoning Codes of Broward County and the SHIP Interlocal cities.

This strategy has been implemented and is functioning as intended.

4. Fiscal Impact Statement: The establishment of an ongoing process by which local government considers before adoption of policies, procedures, ordinances, regulations, or plan provisions to determine whether the impact of the proposed action will have a significant impact on the affordability of housing. In the event a significant impact on the cost of housing is found, require agencies to investigate impact reducing alternatives.

This strategy has been implemented and is functioning as intended.

5. Actively pursue purchase of tax delinquent vacant properties by the County, using SHIP funds, to keep property out of the hands of individuals who hold for speculation, to minimize the problems associated with absentee landlords, to provide for reuse of the property, and to avert code problems caused by illegal dumping and vacancy.

This strategy is currently being implemented by the Office of Housing Finance. The strategy is functioning as intended.

6. Subject to legal review, allow builders/developers to defer Water Capital Recovery Charges and Wastewater Capital Recovery Charges until a certificate of occupancy is released for affordable housing units. To be eligible for fees deferral, development or projects must provide housing for families with a total family income of eighty percent (80%) or less of the median income for Broward County.

In addition, staff should investigate whether SHIP funds can be used to subsidize capital recovery charges.

Similarly, cities should review their capital recovery programs to determine whether this incentive can also be implemented locally.

Currently, the Community Development Division is implementing the subsidizing of capital recovery charges under the Water/Sewer Program Strategy and it is functioning as intended.

7. Impact Fee Modification: Broward County shall modify the provisions of subsidizing road and park impact fees for affordable housing. Units that are developed for "very-low" income residents will be subsidized at 100%, impact fees for "low" income residents will receive 75% subsidies, and impact fees for "moderate" income residents will receive 50% subsidies. The County will request that the Broward County School Board modify their provisions for subsidizing education impact fees accordingly.

In addition, Broward County shall recommend utilizing its SHIP funds to supplement existing funding sources used to pay impact fees for affordable housing projects. It is the AHAC Committee's intent that this proposed recommendation not supplant, or substitute for existing sources of funding for impact fee subsidies.

Subject to annual review, selection criteria for funding under this incentive should be on a "first-come, first-serve" basis within budget amounts appropriated for each income class to be served.

This strategy has been implemented in the County's Land Development Code and is functioning as intended.

City of Coral Springs

- A. Name of the Strategy:** Expedited Permitting
Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

1. Definition of Affordable: By executing the Interlocal Agreement, the City has accepted the definition of "affordable" as contained in the SHIP Program. This definition states: Affordable means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed 30 percent (30%) of an amount representing the percentage of the median annual gross income limits for the households as indicated in subsection (19), subsection (20) or subsection (28).

This strategy has been implemented as of October 1994 and is functioning as intended. This definition is also used in the City's Five Year CDBG Consolidated Plan.

2. The Expedited Processing of Permits for Affordable Housing: Establish a policy for permit review agencies to place affordable housing projects first in the "queue" of projects to be reviewed. This shall include all appropriate reviews and inspections by the City.

To continue the streamlined process for one-stop review. Review procedures for zero lot line developments combine: (i) plat exemption and (ii) development review. The combined review shall be completed jointly by the Community Development Department and the Engineering Department

This strategy has been implemented as of October 1994 however the procedures were further defined as requested by the Florida Housing Finance Corporation and adopted by the City on October 20, 1998. The incentive is functioning as intended. It is important to note that the City has implemented several technological improvements that have significantly reduced processing time for all permits. These improvements include permit by fax system as well as the scheduling inspections via touchtone phone. Additionally, the City has added a web based application for the scheduling of permit inspections. Many of the SHIP contractors utilize the fax by phone system and receive their permits within 24 hours of application.

3. The Expedited Processing of Permits for Affordable Housing: Provide technical assistance, not to include engineering services, in the preparation of site plan and plats in order to facilitate development of affordable housing.

This strategy has been implemented as of October 1994 however the procedures were further defined as requested by the Florida Housing Finance Corporation and adopted by the City on October 20, 1998. The incentive is functioning as intended.

4. The allowance of zero lot line configurations: To continue the allowance of zero lot line configurations in the following zoning districts: RS-6, RC-6, RC-12, RC-15, RM-15 and RM-20.

This strategy has been implemented as of October 1994 and is functioning as intended. However, it is important to note that the City of Coral Springs is "residentially built out" and there are not any more parcels that could accommodate a zero lot line development.

5. The establishment of a process by which local government considers before adoption of policies, procedures, ordinances, regulations, or plan provisions that have a significant impact on housing: The City has developed an administrative procedure whereby any change to policies, procedures, ordinances, regulations or plan revision which would have a significant impact on the cost of housing shall have a financial impact statement prepared, including financial impacts

relating to potential housing costs, for consideration before City Commission approval. The developer/builder must provide a breakdown of the amount of additional costs associated with the increase. Cost increases will be verified by the City Finance Management/ Administration and City Building Division. Upon review of the cost increase analysis, staff shall make recommendations for appropriate incentives to be presented to the City Commission for approval on a case-by-case basis.

This strategy has been implemented as of October 1994 however the procedures were further defined as requested by the Florida Housing Finance Corporation and adopted by the City on October 20, 1998. The incentive is functioning as intended.

6. The preparation of a printed inventory of locally owned public lands suitable for affordable housing: To continue to participate in the Florida Department of Community Affairs annual update of publicly owned lands and buildings suitable for affordable housing. If public lands become available for affordable housing, the City staff will examine the list and make recommendations thereon.

This strategy has been implemented in October 1994. However, the City of Coral Springs has been advised by the Department of Community Affairs that the public lands inventory has been discontinued.

Town of Davie

- A. **Name of the Strategy:** Expedited Permitting
Permits as defined in § 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

1. Definition of Affordable: By executing the Interlocal Agreement, the Town has accepted the definition of “affordable” as contained in the SHIP Program. The definition states: Affordable means that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed 30% percent (30%) of an amount representing the percentage of the median annual gross income limits for the households as indicated in subsection (19), subsection (20) or subsection (28).

This strategy was adopted on June 4, 1997 and reaffirmed upon adoption of the Town's Local Incentive Strategy on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

2. Expedited Permitting: The Town's Housing and Community Development Director was designated as the liaison to hand-walk affordable housing developers through the permitting process, so that they are expedited to a greater degree than other projects in Davie. Should a problem or delay arise, the Chief Building Official personally intervenes to expedite processing.

3. Modification of Impact, Building Permit, and Related Fees: The modification of impact fee requirements, including the reduction or waiver of fees and alternative methods of fee payment. The Director of the Development Services Department was empowered to waive fees covered by Section 326 (d) of the Town Code (Park and Recreation Impact Fees), for affordable housing initiatives.

The housing market in Davie has changed significantly since the original Incentive Plan was developed in 1998. The housing costs and land values have continued to increase, making it difficult for many working families/individuals to rent or own a home. Therefore, the Incentive Plan was revised on July 2, 2003 to expand the level of incentives available to qualified developers of affordable housing, both for-profit and not-for-profit, to develop urgently needed affordable housing for Davie residents. The Plan also clarifies the relationship between the SHIP Program and the Town's Consolidated Plan for Federal Funds 2002-2007, and more clearly

defines the role of the Housing and Community Development Department in Davie's development review.

Given the high costs associated with the development of new affordable housing initiatives (particularly rental projects), and the lack of available affordable housing units to serve its current population, additional incentives were added. Building Permit Fee Waivers now in affect:

Income Levels To Be Served	Affordability	Non-Profit	For-Profit
30-50% of median	15 years	100%	100%
51-80% of median	15 years	100%	75%
81-120% of median	15 years	100%	50%

This incentive was adopted on April 1, 1998, modified on May 20, 1998, and amended and restated on July 2, 2003.. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

4. Parking and Set-Back Requirements: Section 12-308 (b) (1) of the Davie Town Code which permits "administrative waivers or variances", will be amended to permit a waiver of up to twenty-five percent (25%) of that which is permitted by Code, for affordable housing initiatives only. The Land Development Code currently allows the Town Administrator and/or designee to approve "non-use special permit requests" through a written administrative decision; however, this process is currently limited to approving: set-back requirements for principal or accessory buildings or structures, the spacing requirement between principal and accessory buildings, and the height of a building or structure, if they are not increased by more than ten (10) percent of that which is permitted by the Code. Additionally the Code permits the administrative approval on the number of parking spaces required, if not reduced by more than twenty percent (20%).

This incentive was adopted on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended; and the Town Code will be modified accordingly in the future.

5. Review of Proposed Policies, Procedures, etc.: The establishment of a process by which the Town of Davie considers, before adoption, the impact that proposed policies, procedures, ordinances, regulations, or plan provisions will have upon the cost of housing. The Development Services Director will identify those proposed policies, procedures, plans, etc. that may impact the development of housing, and send them to the Housing and Community Development Director for review and comment. The Director will ensure that such proposed action is consistent with the Town's adopted Consolidated Plan for Federal Funds.

This incentive was adopted on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

6. Inventory of Publicly Owned Land: The preparation of a printed inventory of publicly owned lands suitable for affordable housing. The Town's Planning and Zoning Division in the Development Services Department, currently maintains a list of all publicly-owned land in Davie. This list will be reviewed on a routine basis by the Housing and Community Development Director, and will be updated accordingly.

This incentive was adopted on April 1, 1998 and modified on May 20, 1998. The Town's Incentive Plan was approved by the Florida Housing Finance Corporation on June 23, 1998. It is now functioning as intended.

7. Role of Housing & Community Development Department: The Director of Housing and Community Development will carefully review all prospective affordable housing projects, and verify their level of benefit and period of affordability. The waiver of all fees, i.e., Park and Recreation Impact fees, Building Permit Fees, etc., will be based on this review. Deed restrictions

or other covenants will be required of all developers to ensure the level and period (length) of affordability is maintained.

The Town's Housing and Community Development Director reviews all proposed policies, procedures, plans, etc., that may impact the development of housing, in order to ensure that such proposed action is consistent with the Town's adopted Consolidated Plan for Federal Funds, and does not negatively impact housing costs or produce a barrier to affordable housing. The Housing and Community Development Director will identify any potential impediments to fair housing choices and other impacts on the provision of affordable housing. The Planning and Zoning Director will work closely with the Housing and Community Development Director to ensure consistency with the Town's Comprehensive Plan.

The Director of Housing and Community Development carefully reviews all prospective affordable housing projects to verify their level of benefit and period of affordability, and recommend the waiver of Park and Recreation Impact fees, Building Permit fees, etc., reductions in parking requirements if warranted, "Affordable Housing Density Bonuses: as applicable, and Deed restrictions or other covenants to ensure that the level and period (length) of affordability are maintained.

The Town's Housing and Community Development Director guides affordable housing developers through the permitting process; and, affordable housing projects/initiatives will be expedited to a greater degree than all other projects in Davie.

Exhibit "B"

INTERLOCAL AGREEMENT FOR THE ADMINISTRATION OF THE JOINT LOCAL HOUSING ASSISTANCE PROGRAM

This **INTERLOCAL AGREEMENT** ("Agreement") is made and entered into by and between BROWARD COUNTY, a political subdivision of the State of Florida (the "County") and the Town of Davie, a Florida municipal corporation ("Town"), collectively referred to as "the Parties."

W I T N E S S E T H

WHEREAS, the State Housing Initiative Partnership Act, §§ 420-907 - 420-9079, Fla. Stat. ("Act") provides for the establishment of local housing assistance programs; and

WHEREAS, the Parties wish to provide for the housing needs of their citizens, and to promote the efficient location, design and provision of affordable housing;

WHEREAS, the Act encourages the establishment of joint local housing assistance programs, and provides for the entering into Interlocal agreements for the establishment and implementation of such joint programs;

WHEREAS, the Parties wish to establish a joint local housing assistance program for the purpose of establishing and implementing a more efficient local housing assistance program;

WHEREAS, the Act authorizes monies to be distributed to approved counties and eligible municipalities within the County pursuant to an Interlocal agreement; and

WHEREAS, BROWARD COUNTY is an approved county and the Town is an eligible municipality within Broward County, Florida; and

WHEREAS, the Parties desire to distribute monies available under the Act pursuant to this Interlocal Agreement and to provide for the County's implementation and administration of the Act's requirements; NOW, THEREFORE,

FOR AND IN CONSIDERATION of the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

1. **Definitions.** For the purposes of this Agreement, the definitions contained in the Act, and Chapter 67-37, Florida Administrative Code, as they may be amended from time to time, are adopted by reference.

2. **Establishment of Joint Local Housing Assistance Program.** The Parties agree to establish a joint local housing assistance program ("Program"), pursuant to the requirements of the Act, which shall be established for a three (3) year period, all subject to the provisions of §§ 420.907 - 420.9079, Fla. Stat., and other applicable law. The program shall consist of establishing a Local Housing Assistance Plan (LHAP) and the Implementation and Administration of the Program. The LHAP shall be jointly developed by the parties and shall be adopted and amended only by resolution of each of the parties pursuant to the provisions of the Act.

3. **Administration:** County, through its Office of Housing Finance shall be solely responsible for the administration and implementation of the Program in accordance with the provisions of the Act.

3.1 **County Provision of Performance Reports.** County shall provide the Town with one Performance Report per Program per fiscal year. The Performance Report shall be the annual reporting materials required pursuant to the Act. The Performance Report shall, at a minimum, provide the Town with the following information: Population data for those assisted including: income level, age, family size, race, and any special needs populations; amount of funds expended within the Town, by category with the Town Program; and balance of funds remaining to be expended within the Town.

3.2 County shall file a single annual report for all Program activities, in all applicable governmental jurisdictions, pursuant to the requirements of the Act's implementing regulations.

3.3 County shall establish, or cause to be established based on input from the Town, all of the administrative criteria or requirements necessary or desirable to implement the Act, including without limitation, the following: (i) maximum award schedules; (ii) qualification systems for applications received pursuant to the Program activities; (iii) eligibility criteria for Program participants; (iv) advertising requirements for the availability of funds; and (v) definitions of affordable housing. The parties expressly agree that the administrative criteria or requirements to be established may, as applicable or appropriate, vary based on either the nature of the Program element or strategy to be addressed, or the requirements of the local jurisdiction, all of which shall be subject to the provisions of the Act.

4. **Establishment and Administration of Trust Fund.** In order to implement and administer the Act, the County shall establish a specially designated and dedicated Affordable Housing Assistance Trust Fund ("Affordable Housing Assistance Trust Fund") within the official fiscal and accounting records of the County. All monies received from the State pursuant to the Act, and any funds received or budgeted to provide funding for the Program, shall be deposited into the Affordable Housing Assistance Trust Fund.

4.1 **Restrictions on use of Funds.** Pursuant to the Act's requirements, expenditures other than for the administration and implementation of the Program shall not be made from the Affordable Housing Assistance Trust Fund.

4.2 Audit of Housing Trust Fund. The County agrees that the Affordable Housing Assistance Trust Fund shall be separately stated as a special revenue fund in the County's audited financial statements. Copies of such audited financial statements shall, consistently with the requirements of the Act, be forwarded to the Florida Housing Finance Corporation as soon as such statements are available. The parties agree to pay their pro rata share of the cost of the audit using Town and County Program administrative dollars. The County shall provide the Town a copy of this audit.

5. **Distribution of Funds Available Pursuant to the Act.** All monies available to the Town and the County pursuant to the Act shall be distributed to the County as provided in the Act.

5.1 Directions to Corporation. The Town and the County direct the Florida Housing Finance Corporation (the "Corporation") to distribute the monies pursuant to the Act in accordance with this Agreement, and authorize the Corporation to rely on the parties' stated intent and authority to execute this Agreement.

5.2 Deposit of Funds. The monies to be distributed by the Corporation will be deposited in the following Depository Account: Broward County Affordable Housing Assistance Trust Fund.

5.3 The Corporation shall be notified by the parties of any change in the status of the Affordable Housing Assistance Trust Fund, or the distribution agreement between them.

5.4 Broward County shall administer and distribute the SHIP Program funding according to the allocation schedule calculated and determined by the parties and approved by the Corporation. Broward County shall collect a five percent (5%) administrative fee and the Town of Davie shall collect a five percent (5%) administrative fee for administration of SHIP Program funds.

5.5 Broward County shall utilize good faith efforts to recapture SHIP Program funding. Broward County shall place all recaptured and recycled SHIP funds in the Affordable Housing Assistance Trust Fund. Recaptured and recycled SHIP funding shall be allocated to SHIP strategies as collectively determined by the parties and shall be restricted for expenditure within the boundaries of the local governmental jurisdiction from which the recaptured or recycled funds originated.

6. County will ensure that SHIP funds disbursed from the Affordable Housing Assistance Trust Fund are at all times expended in accordance with the Act's requirements, provide income verification and certification for all applicants for SHIP funding assistance, monitor and determine applicant eligibility and the amount of SHIP funding assistance pursuant to the Act's guidelines, and coordinate all administrative functions between the Parties. County shall provide the Town with a monthly tracking log evidencing each strategy expenditure made by County on the Town's behalf.

7. **Modification of Agreement.** This Agreement may be modified by resolution(s) of the parties adopting a written amendment of this Agreement. As required by the Act, or other applicable law, amendments to the program or this Agreement shall not become effective until following review and approval required by the Act.

8. **Term and Termination of Agreement.**

8.1 Term of Agreement. Unless earlier terminated pursuant to other provisions of this Agreement, the term of this Agreement shall run concurrently with the distribution of monies pursuant to the Act. For so long as this Agreement remains effective, the Parties agree that they will not do anything to jeopardize the other party's right to receive its distributions pursuant to the Act.

8.2 Termination of Agreement. At any time during the term of this Agreement, the Town or the County may provide one hundred eighty (180) calendar days advance written notice of the termination of this Agreement. In the event of a notice of termination, this Agreement shall terminate

and be of no further force or effect as to either party on the one hundred eightieth (180) calendar day following the non-noticing party's receipt of the termination notice; provided, however, that all Program funds encumbered by the County prior to the date of termination shall continue to be payable to the County pursuant to the terms of such encumbrance(s). In the event of a termination, the Parties agree to mutually advise the Corporation of the termination of this Agreement, and to provide for the continued orderly payment of those funds to be distributed pursuant to the Act necessary to fulfill outstanding encumbrances, if any. In the event of a termination of this Agreement, the distribution and allocation of unencumbered funds to the County and the Town shall be pursuant to the requirements of the Act.

9. **Interpretation.** The language of this Agreement has been agreed to by both parties to express their mutual intent and no rule of strict construction shall be applied against either party. The headings contained in this Agreement are for reference purposes only and do not affect in any way the meaning or interpretation of this Agreement.

10. **Notices.** Whenever either party desires to give notice unto the other, such notice must be in writing, sent by registered United States mail, return receipt requested, addressed to the party for who it is intended at the place specified below. The place for giving of notice shall remain the same until it shall have been changed by written notice in compliance with the provision of this paragraph. For the present, the parties designate the following as the respective place for giving of notice:

FOR BROWARD COUNTY:

Director
Office of Housing Finance
110 NE Third Street, Ste #300
Ft. Lauderdale, Florida 33301

With copy to:

Office of County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, FL 33301

FOR THE TOWN OF DAVIE

Town of Davie
Housing & Com. Dev. Director
4700 S.W. 64th Avenue, Suite D
Davie, Florida 33314

With copy to:

Monroe Kiar, Esq.
6191 S.W. 45th Street
Davie, Florida 33314

11. **Effective Date.** The effective date of this Agreement shall be the date upon which the parties have approved this Agreement.

12. **Liability.** Nothing is intended to serve as a waiver of sovereign immunity by any party to which sovereign immunity may be applicable. Nothing shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Agreement or any other contract. All parties are state agencies or political subdivisions of the State of Florida as defined in Section 768.28, Florida Statutes, and agree to be fully responsible for acts and omissions of its agents or employees to the extent permitted by law.

13. **Limitations of Agreement.** It is not the intent of this agreement to change the jurisdiction of the parties in any manner except as specifically provided. All other policies, rules, regulations and ordinances of the parties will continue to apply as to properties located within the jurisdictional boundaries of each party.

14. **Filing of Interlocal Agreement.** Pursuant to the provisions of Section 163.01 (11), Florida Statute, this Interlocal Agreement shall be filed with the Clerk of the Circuit Court in and for Broward County, Florida.

15. **Employee Status.** Persons employed by either party in the performance of services and functions pursuant to this Agreement shall not be deemed to be employees of the other party nor shall they have any claim

to pension, worker's compensation, civil service or other employee rights or privileges granted by the other party to its officers and employees.

IN WITNESS WHEREOF, the parties have made and execute Agreement on the respective dates under each signature: Broward County through its Board of County Commissioners, signing by and through Mayor or Vice Mayor, authorized to execute same by Board action of ____ day of _____, 20__, by the Town of Davie, signing through its Mayor, authorized to execute same by action of the Town Council on the _____ day of _____, 2004.

ATTEST:

County Administrator and Ex-Officio
Clerk of the Board of County Commissioners
of Broward County, Florida

By

COUNTY

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

Ilene Lieberman, Mayor

_____ day of _____, 2004.

Approved as to form by Office of County Attorney,
Broward County, Florida

EDWARD A. DION, County Attorney

Governmental Center, Suite #423

115 South Andrews Avenue

Fort Lauderdale, Florida 33301

Telephone: (954) 357-7600 Telecopier:(954) 357-7641

By _____

James E. Saunders III, Assistant County Attorney

**INTERLOCAL AGREEMENT FOR THE ADMINISTRATION OF THE JOINT LOCAL HOUSING
ASSISTANCE PROGRAM BETWEEN BROWARD COUNTY AND TOWN OF DAVIE**

Town of Davie

ATTEST:

By _____
Mayor

Clerk

_____ day of _____, 2004.

Approved as to form:

By _____
Town Attorney

JES
SHIPInterlocal.Davie.wpd
April 13, 2004